

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
OFFICE OF ADMINISTRATIVE LAW JUDGES

\* \* \* \* \*  
Investigation of: \*  
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MV ETHAN ALLEN, \*  
LAKE GEORGE, NEW YORK, \*  
OCTOBER 2, 2005 \* Docket No.: DCA 06 MM 001  
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\* \* \* \* \*

Interview of: HUGH QUIRK

Lake George Conference Hall  
Lake George, NY

Thursday,  
October 6, 2005

The above-captioned matter convened, pursuant to  
notice, at 1:13 p.m.

BEFORE: MORGAN TURRELL

APPEARANCES:

MORGAN TURRELL  
National Transportation Safety Board

SGT. WALTER SCHEDEL  
New York State Park Police

MAURICE ALDRICH  
Warren County Sheriff's Office

SEAN QUIRK  
Shoreline Cruises

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I N T E R V I E W

(1:13 p.m.)

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2  
3 MR. TURRELL: Okay. It's October 6th, at the Lake  
4 George Conference Hall, and it's 13 past 1 o'clock, and we're  
5 interviewing Hugh Quirk of Shoreline Cruises. My name is  
6 Morgan Turrell of the NTSB.

7 And to my right.

8 MR. ALDRICH: Investigator Mo Aldrich with Warren  
9 County Sheriff's.

10 SGT. SCHEDEL: Sergeant Walt Schedel, New York State  
11 Park Police.

12 MR. S. QUIRK: Sean Quirk, Shoreline Cruises.

## INTERVIEW OF HUGH QUIRK

13  
14 BY MR. TURRELL:

15 Q. Mr., Mr. Quirk, if --

16 A. Hugh Quirk.

17 Q. -- you would just go ahead and spell your name and --

18 A. H-u-g-h Q-u-i-r-k.

19 Q. Okay. And what is your city and state of residence?

20 A. 222 --

21 Q. The city and state.

22 A. Oh, Clearwater, Florida.

23 Q. Okay. We're trying to keep the personal stuff off  
24 the record.

25 A. Oh.

1 Q. And what is your current employment?

2 A. I just help my brother on the Shoreline Cruises.

3 Q. And are you an employee of Shoreline Cruises?

4 A. I am now, yes.

5 Q. And what are your duties at Shoreline Cruises?

6 A. Help my brother.

7 Q. Okay. Your brother being?

8 A. Jim Quirk.

9 Q. Jim.

10 A. Jim Quirk.

11 Q. And how long have you served in that -- not being  
12 brother but working at Shoreline, how long have you --

13 A. Oh, I came here in the spring, and I've been helping  
14 him.

15 Q. Okay. Do you do that every year?

16 A. No. First time I've done it.

17 Q. So have you worked the whole season this year?

18 A. Depends when the season started. I think I got here  
19 in late April.

20 Q. Okay.

21 A. May, something like that.

22 Q. And what duties around Shoreline do you fulfill?  
23 What kind of work do you do?

24 A. What have I done?

25 Q. Sure. What do you do?

1           A.    Okay.  You're saying what am I going to do in the  
2 future?

3           Q.    No, no.  What do you do currently for Shoreline  
4 Cruises?

5           A.    I answer questions from you guys.  What am I going to  
6 do tomorrow?

7           Q.    No.  What have you done since April when you started?

8           A.    That's what I said.  Let me start back there.

9           Q.    Sure.

10          A.    Okay.  I came up and was hanging around and I applied  
11 for a (indiscernible) Master's license, and I was helping out  
12 with the bigger boats, and he was bringing on crews, so I  
13 helped out with the training of the new crews and the new crew  
14 mates, and reviewed a lot of stuff with the old guys and  
15 learned a lot from the captains that were on board, and we ran  
16 some training days, but we also ran about three weeks of  
17 training individually with cruises (indiscernible) the kids and  
18 I've actually you know worked with them talking about the  
19 different duties, talking about the (indiscernible) situation,  
20 showed them where they were on the emergency safety building,  
21 you know, what they go, what they have to do and, you know,  
22 talking about the different jobs they have.  And there's  
23 (indiscernible) 5-footer and 115-footer.  We also did things  
24 like show them how to help people on and off a boat, you know,  
25 how to recognize when someone may in many ways appear to be

1 good, but you need to watch the way they move their feet, may  
2 have visually impaired -- you know, it might be that they're  
3 having depth perception problems or something like that, and  
4 explain to them, you know, to show them where the line is  
5 between the boat and the dock and make sure they know not to  
6 step over it and assist them by holding their arm. If they  
7 seem frail, you want to have two people helping them, because  
8 if one person grabs them, they go down, and you're holding onto  
9 one arm, you're liable to pull that arm right off. If you get  
10 two arms, you won't be hurting them, you have two arms. You  
11 know, you just go through this, and you go through this over  
12 and over, and they don't pick it up a lot in the beginning. In  
13 the beginning about half the crew was foreign-born and English  
14 was a second language, and their command of English wasn't that  
15 great. So, you know, we had to work with a lot of  
16 communication skills too.

17 Q. Okay.

18 A. The cruise are always run with at least enough  
19 English speaking people in the beginning to cover everything  
20 and bring in the people, the ASL disability to learn, and they  
21 would learn and they would pick up the English, and they were  
22 very bright kids, and a lot of them had the English skills and  
23 had taken it, had never practiced it. And after they were here  
24 two or three weeks, their English became very good, and by the  
25 time they left, some were quite eloquent, because they -- they

1 didn't have a lot of trash in their talk. They were very book-  
2 wise, and very intelligent sounding.

3 Q. What language, what would you say is the primary  
4 language these employees would be?

5 A. Russian.

6 Q. Russian. Okay. So besides the training crews from  
7 the two larger boats, any other --

8 A. Yes.

9 Q. -- duties?

10 A. Well, you know, we started doing that, and then the  
11 kind of the crews all kind of blended and melded and, you know,  
12 the boat captains are able to cover the job and were able to  
13 get things done and they started having a lot of people  
14 damaging outboard motors and running on sandbars to see if they  
15 could dig a trench across them with the propeller, and they had  
16 some (indiscernible) or away from the business or hadn't been  
17 doing outboard, maybe doing inboards and, you know, I spent  
18 some time with them, showed them how to diagnose the problem,  
19 figure out what's going on, how to -- what to fix and what to  
20 change. So basically I was just showing the outboard mechanics  
21 and working with them. And then we went from there, we went  
22 into the (indiscernible) craft, and we did a lot of work on  
23 those. Just simple -- doing diagnostic work, using the  
24 instruments, what the instruments are, I mean you know. These  
25 guys come from a background where they didn't have maybe some

1 of the equipment that's available to them here, so they didn't  
2 know how to use it. They didn't even know what it was for  
3 necessarily.

4 Q. Okay, and, and insofar as the smaller boats, the  
5 Ethan Allen class, any --

6 A. Well, once in awhile, I'd take one out for my brother  
7 after I got my Master's, after I'd been out total of 8, maybe  
8 10 times this year. Two times were on the day that the Ethan  
9 Allen went down.

10 Q. Okay. Which boat was that?

11 A. That was on the Ethan Allen that morning, that's why  
12 I'm here.

13 Q. Have you operated the other boats, the de Champlain  
14 and the --

15 A. I think I've (indiscernible) the de Champlain once or  
16 twice that I was out, and most of the time I go out with the  
17 Algonquin, which takes groups of about 20 or less usually.

18 Q. How many times have you seen the Ethan Allen go out  
19 with over 40 passengers since you've been here in April?

20 A. Maybe that's the first time or maybe second. You  
21 know, I've seen twice, because I don't know -- other times --

22 Q. Sure.

23 A. -- Ethan Allen or the de Champlain. I was there when  
24 the Ethan Allen went out that day.

25 Q. Okay.

1 A. Now the smart question was what did I do?

2 Q. What did you do?

3 A. Okay. I came walking down the hill. There was a  
4 gentleman heading toward the boat. I started talking to him.  
5 He was holding a walker. He was standing to the right of the  
6 walker holding it with his left hand. He looks like he's  
7 pretty good shape, recovered from maybe a stroke or something  
8 like that, and he had an assistant on the other side of the  
9 walker steadying him with her right hand. And they were  
10 walking down to the boat, and I thought because the boat looked  
11 pretty crowded, you know, because there were a lot of people on  
12 the dock, I thought I'd go back and check to make sure the  
13 boat -- that he got on the boat all right. Once I saw that,  
14 you know, it was getting pretty tight, it was actually two  
15 ladies (indiscernible), and I think these ladies were portly.  
16 I think they were kind of embarrassed to get on the boat  
17 because it was tight, and they actually said no, they're not to  
18 go on the boat right then, and they walked down the dock, they  
19 left.

20 Q. Okay. Now were they part of the, the bus charter  
21 group?

22 A. There was a bus there, yeah.

23 Q. Okay.

24 A. They were part of that 50 --

25 Q. They were --

1           A.    -- so anyway, I went over to the thing and see what's  
2 going on, and some of the ladies said oh, you ought to come  
3 with us. I said, well, I don't know if I can, you know, I've  
4 got another boat, whatever, you know. Yeah, yeah, she just  
5 kind of, you know, flirting and you know being a nice lady.

6           Q.    Sure.

7           A.    I didn't have any ring, I guess, you know, whatever  
8 it takes. It doesn't take much at my age. But anyway, she was  
9 talking, and I was thinking about you know maybe I should go  
10 back and just stand there a bit and give them a hand, because  
11 there's a big load on there, and I started, you know, I started  
12 untying the boat and figuring on you know how many  
13 (indiscernible) so I'll just go, and another lady came around  
14 and she had blond hair, she was kind of short. She was a  
15 little younger. She identified herself as the tour director.

16          Q.    Okay.

17          A.    And said, you're in charge of these people? She  
18 said, yeah. I said (indiscernible) take care of them? And she  
19 said, yes, I am, and it was actually kind of -- we're talking,  
20 there a little hum of the crowd so we both did a loud, in a  
21 loud fashion, you know but, yes. Then she said, yeah, she sat  
22 down somewhere toward the rear on the port side. I don't think  
23 she went down to the front. She could have.

24          Q.    Okay. Did -- do you recall if the tour director  
25 spoke to the captain, Mr. Paris?

1           A.    No, I didn't see her talk to him, no.  She absolutely  
2 was going to take care of the people.  Because the reason you  
3 put an extra person on is to take care of the people.  If  
4 there's an emergency and you can do something, you do it.  You  
5 know, if you have people that need help getting on and off,  
6 generally what you're going to be talking about people who need  
7 maybe getting up and down in the seat, all right, or moving  
8 around.  The child with the walker actually walk down to the  
9 front of the boat without a walker, and he -- the lady took the  
10 walker down for him I believe.  I think (indiscernible) brought  
11 it down here.  He didn't take it down.

12           Q.    Do you recall seeing Captain Paris -- did you talk to  
13 Captain Paris before the boat left?  Did you have any  
14 conversation?

15           A.    I just said, I just said are you going to be all  
16 right, Dick?  And he says, yeah, I'm all set, we're going to  
17 go.

18           Q.    Okay.

19           A.    And I helped untie the boat.

20           Q.    And --

21           A.    And I feel kind of guilty about it, you know, I mean  
22 the reason that I didn't go because of this -- I knew there was  
23 another charter coming up that was -- I could go out and take a  
24 ride and drive it, so I feel a little bit selfish about it.  
25 Kind of a guilty feeling.

1 Q. Understandable. When you operated the boat earlier  
2 in the day, can you tell us what time?

3 A. Sure. We left at 9:30 and returned at 10:30. I got  
4 there a little after eight in the morning. I did the  
5 preliminary checkup. I spent about a half-hour doing it  
6 because it was the first time I ever ran the Ethan Allen. It  
7 had a different engine, little different vessel. Just kind of  
8 looking to see what was different.

9 Q. Sure.

10 A. Very, very similar to in most ways to the other boats  
11 in terms of the wiring seemed to be the same, the bilge pumps  
12 seemed to be the same, but the motors were different. In fact,  
13 the Ethan Allen on the water felt tighter and faster, and just  
14 seemed to sit in the water better than the other two boats.  
15 The other boats sit (indiscernible).

16 Q. How many passengers did you have on that 9:30 trip?

17 A. I was trying to figure it out. I don't remember.  
18 But it wasn't a full boat.

19 Q. Okay.

20 A. It was like a half a boat or something.

21 Q. Okay.

22 A. Relatively smaller group. Wasn't like what Dick had.

23 Q. Sure.

24 A. But I don't think I've ever taken one out with more  
25 than 30, more than 28.

1 Q. And when you took the boat out with 28, I guess this  
2 would be one of the sister boats, did you bring a crew member  
3 along with you?

4 A. No. I think we had a tour guide there.

5 Q. Okay.

6 A. Yeah.

7 Q. Okay. When you were operating the Ethan Allen that  
8 morning, did you have any difficulties or notice any problems  
9 with the boat?

10 A. No. The boat was dry, clean, everything the way it  
11 should be. She handled well. She actually seemed to handle  
12 like I say better than the other two boats, just kind of sat in  
13 the water better. I mean -- and faster.

14 Q. Did you experience the wake from any other vessels  
15 that morning?

16 A. No.

17 Q. Okay.

18 A. No. It was pretty calm.

19 Q. Had you been on board one of the three sister boats  
20 where a wake did hit the boat?

21 A. Oh, yeah, sure.

22 Q. Can you describe the effect?

23 A. Yeah, yeah, the, the Mohican was running up the east  
24 side of Lake George just where there's a buoy over there, and  
25 she was heading north and I was heading south, and I guess the

1 map -- I can show you. If I can find my glasses, I can show  
2 you. Okay. Okay, I run -- run it along the shoreline here,  
3 and I was coming this way, and she was running north this way,  
4 along the thing, and I gave her right-of-way. She -- this is,  
5 this it the normal (indiscernible) so you give way --

6 Q. Uh-huh.

7 A. -- that before, did you?

8 Q. Uh-huh.

9 A. Oh, okay. So you give way, it's a favor, you know.  
10 I slowed down and she went by me, and I just kept the speed  
11 down a little bit because of the wake because we ended up going  
12 right behind her, you know, probably, you know, probably hit  
13 the wakes around 150 feet away from her. She's running  
14 problem, you know, she (indiscernible) up to speed, I don't  
15 know, 15, 20 knots. And you know, got the passengers in the  
16 front and I think we had about 11 or 12 people on there, and  
17 had the people on the starboard side because they cut a little  
18 bit off to the starboard side and they, they got wet, all the  
19 way three, four rows back. You know, they weren't -- they  
20 weren't the front rows.

21 Q. Right.

22 A. Or on the usual seating. They're in the -- second,  
23 third rows and the people there got wet. So, yeah, it's water  
24 over and that was from the Mo.

25 Q. And this was --

1 A. The other --

2 Q. -- which boat?

3 A. (indiscernible).

4 Q. Okay, and --

5 A. -- full canopy.

6 Q. Roughly how many passengers were on board on that  
7 particular --

8 A. I think there was 11.

9 Q. Okay.

10 A. -- 12. And the other time I've seen -- in I've seen  
11 waves from the Mohican.

12 Q. Sure.

13 A. Okay, that particular time. But you know usually  
14 most of the time you see the Mohican I've been just coming out  
15 down here.

16 Q. Right.

17 A. Okay. And lot of times I passed the -- I guess  
18 you're interested in what happens when I pass the other  
19 competition. I was doing runaround for awhile and I was  
20 always -- seemed to be on the wheel, and it would be I think  
21 6:30 and I would turn into the five-mile-an-hour zone, and I  
22 would get about two-thirds of the way through and we hit the  
23 Saint going the other way. Very good. She'd slow down. Got  
24 so I'd call her on the Channel 16, tell her I'm here, and he'd  
25 just kind of adjust his speed. Again the Saint was okay. I

1 think we passed, we generally pass right on this end of the  
2 zone. He was just entering I'd be coming out. Okay, and the  
3 other one is the Minne-Ha-Ha puts up big chops straight from  
4 its paddle wheel, and it's a very unusual alligator-type chop,  
5 and I've gone through that with those boats and the boats seem  
6 to handle it fine, but they're just scary looking. But I don't  
7 know what they would do to a smaller boat.

8 Q. And what about vessels of your own fleet, the  
9 Adirondac or the --

10 A. The Algonquin or the Adirondac or the Horicon?

11 Q. Horicon or the Adirondac. What kind of wake do they  
12 put out?

13 A. About the same as the Saint wake. You know  
14 (indiscernible). They just never designed -- the Mohican is a  
15 1906 I believe, 1908. It's a pretty old boat. In fact to me  
16 I -- and from looking at the Mohican and you see her -- put a  
17 good picture -- like someone should do is take some pictures of  
18 her sitting and get the curve on the main deck, and then when  
19 she gets up to speed it's 20 knots when she makes her run,  
20 because that's all that she does about 20 knots. She makes a  
21 64 mile run in three hours, plus there are a couple of speed  
22 zones there too, so that means she has to slow down. So she's  
23 going in excess of 20. You know when she's up to speed like  
24 that and take a couple of good pictures of her running and  
25 compare the curvature. I don't know, maybe it's just me, but

1 it has nothing to do with this accident or anything else, but  
2 it almost seems like her bow is lifting more than she should  
3 and if she's doing that and she's working like that then she's  
4 just an accident waiting to happen because when that -- that's  
5 wrought iron. When that one goes, it's just going to snap and  
6 she's going down, and she'll go down just as fast or faster.  
7 She'll go down on the power and she'll drive herself under  
8 water. And what they can do with digital cameras now I should  
9 think they would catch it at different points and just see if  
10 there is -- maybe it's just my imagination. I don't know.  
11 I've said that all summer.

12 Q. Can you describe the -- do you handle any of the  
13 mechanics or the engineering work on the Ethan Allen?

14 A. On the --

15 Q. Sure, the Ethan Allen --

16 A. I've never had to do -- it's in real good shape.

17 Q. Sure.

18 A. I've worked on the Horicon.

19 Q. When you were on the Ethan Allen and you took it out  
20 that morning to do the checks, what in particular did you check  
21 that morning?

22 A. What things in particular?

23 Q. Uh-huh.

24 A. The normal thing to do is you -- besides trying to  
25 get an overview and compare the differences in the boats, you

1 know, like wiring and --

2 Q. Right.

3 A. -- the same, you know, the screens are clean. Then  
4 you check the bilges and I put new diapers down and took the  
5 old ones out, and then I -- and of course you check the  
6 transmission fluid, your engine oil and your coolant, the  
7 engine coolant, and anything else they check -- I don't -- just  
8 you kind of give it a real good look around. And then for me  
9 being the first time I just actually sat down there and kind of  
10 just took my flashlight and filled my eyeballs up.

11 Q. The -- where are the checks for the transmission  
12 fluid in relation to the engine?

13 A. Yeah, let me draw it for you. It's funny because  
14 that one is totally different than the other guys.

15 Q. Okay.

16 A. Oh, here, I got -- the engine is back here and then  
17 there's a little knob here. The knob looks like this. The  
18 dipstick just kind of -- down in, okay, and back here is the  
19 filler.

20 Q. Okay, so this is -- looking forward or looking aft?

21 A. Forward.

22 Q. Okay.

23 A. Cummins.

24 Q. Okay.

25 A. And then like the dipstick on the Cummins was unusual

1 because it had four holes on it. Usually don't see that many.  
2 And it also touched the bottom of the fly pin.

3 Q. Okay.

4 A. It was between the third -- the top one and the one  
5 below -- right below it, the third and fourth hole.

6 Q. Which of the checks that you mentioned, the  
7 transmission, the coolant or engine oil is the lowest, lowest  
8 point on the -- which, which check is closer to the keel,  
9 closer to the bilge?

10 A. Oh, bottom hole would be down there. Which one are  
11 you --

12 Q. What I'm looking for is which of the checks, the  
13 transmission fluid, engine oil or coolant is the lowest point  
14 in the engine?

15 A. Oh, it's -- okay, let's see --

16 Q. So roughly how far is that off the keel?

17 A. Oh, this will be right here. I'd say the  
18 transmission is 12, 14 inches. This is most of the way up on  
19 it. This is probably 4 inches space down below here.

20 Q. So when you're checking this, are you, are you  
21 reaching down or are you actually standing in the compartment  
22 to do this?

23 A. Yeah, no, you, no, you don't take the big door off.  
24 You go down -- there's -- the boat's like this. You've got  
25 your area in here, and here's this little trap door. You climb

1 down here.

2 Q. Okay.

3 A. You go down. Like I said, I sit - I sat right down,  
4 I saw down -- I was sitting over here on the starboard side,  
5 and the engine is like here, and so what do you do, you go  
6 right over here and you come to the back of it and the shaft's  
7 going under here and then you get to the motor. You climb over  
8 top of the motor, you're right here, and then you -- with this  
9 bulkhead and you look down here and there's my bilge pump over  
10 here. And then there's down here (indiscernible) screen, you  
11 look over here. Your bilge suction which screens over here,  
12 you know, and just (indiscernible) SOP.

13 Q. So my question here now is did you notice any water  
14 in the compartment that you were --

15 A. Yes.

16 Q. -- sitting or standing in? And how much water would  
17 you estimate was in the --

18 A. Not enough to make a puddle.

19 Q. Okay.

20 A. If you took this much water it would be more than --  
21 that would be a bigger puddle than it had. It would be like  
22 some -- little drops here, and drop there and drops there and  
23 it had -- was covered with a little bit of oil.

24 Q. Okay.

25 A. And then when I put the diapers in --

1 Q. Okay.

2 A. -- I took the old ones out and put the diapers in.  
3 There were spots where there was no water.

4 Q. Sure.

5 A. Was just enough where it congealed together in  
6 different spots. So basically they're dry, you know.

7 Q. That's my point. Was any water sitting in a big pond  
8 of water down there? There's no --

9 A. No.

10 Q. -- leakage or --

11 A. No. No.

12 Q. Now and -- did you also look in the forward -- could  
13 you tell if there was any water also in the forward --

14 A. No.

15 Q. -- compartment?

16 A. The forward compartment drains back and it has --

17 Q. Has limber holes.

18 A. -- limber holes, and they were clean.

19 Q. And the bilge pump was -- you said it was clear?

20 A. Yeah, yeah, I looked at the screens, you know.

21 Q. Okay.

22 A. And I didn't start the bilge pump.

23 Q. Okay.

24 A. Okay. The bilge pump is not like your traditional  
25 bilge pump, you know, like you get (indiscernible). It's got

1 these little arm on a wheel or something, you know. Forgot  
2 what they call it (indiscernible) crank, but it can go under  
3 both definitions (indiscernible). It's got a diaphragm which  
4 is next to the --

5 Q. Uh-huh.

6 A. -- (indiscernible) which is kind of a good idea.  
7 This is the same thing they had in the (indiscernible) boats.

8 Q. Okay.

9 A. You know --

10 Q. Okay. I don't have --

11 A. Black water up here.

12 MR. TURRELL: Let Walt ask some questions.

13 SGT. SCHEDEL: I don't have many questions.

14 BY SGT. SCHEDEL:

15 Q. Do you recall -- you watched all the passengers get  
16 on board the boat. Do you recall if there were people in  
17 wheelchairs?

18 A. No. I didn't watch all the passengers get on the  
19 boat. The boat was probably more than half full when I --

20 Q. When you arrived there. Okay.

21 A. But I did get down there when the fellow who was  
22 toward the end in a walker, you know, and I went and started  
23 talking to him, and I was joking around with two of these  
24 ladies. They said, oh, we want you to come, we want you to  
25 come, you know, that kind of, you know. I said, no, next time

1 I'll be there with you.

2 (Simultaneous comments.)

3 A. I'm thinking to myself well maybe I should go out in  
4 this boat, you know, got a lot of (indiscernible). You hem and  
5 haw, because I know if I don't go out in the boat, I can get a  
6 nice quiet ride and go by myself, and otherwise I just leave it  
7 for someone else, you know, because I (indiscernible).

8 Q. Did you go on the next --

9 A. Yes.

10 Q. -- cruise with the de Champlain, right?

11 A. No. Next cruise was the Algonquin.

12 Q. That's where the balance of that tour went on the  
13 Algonquin?

14 A. No. No, the charter that was non-scheduled, some  
15 people were renting the boat and wanted a private tour.

16 Q. The Algonquin.

17 A. The Algonquin went for two hours. Nice group of  
18 seven people, people that do yearbooks for high schools,  
19 colleges.

20 Q. And when did you depart on that tour?

21 A. Maybe 20 of quarter of 3. The other one probably  
22 went out about -- they went out earlier. I remember that. I  
23 remember Dick saying, well, might as well take them, 2:15,  
24 2:20. I don't know what time they got out of there. It was  
25 earlier --

1 Q. Okay. What were you wearing that day out on the  
2 waterfront?

3 A. Captain's shirt. Had put it on for the morning  
4 cruise.

5 Q. Okay. That's a white shirt, right?

6 A. White shirt, four bars and I don't know what -- I  
7 think I had shorts on. I'm not sure.

8 SGT. SCHEDEL: Okay, that's all I need.

9 MR. TURRELL: Sean.

10 BY MR. S. QUIRK:

11 Q. Did you on your checkup, did you go into the  
12 (indiscernible) compartment and -- what's called a bathroom,  
13 and do you check that?

14 A. (indiscernible)?

15 Q. Yes.

16 A. Yeah, I looked down into the bathroom, yes. I didn't  
17 go to the tank or anything. But bathroom --

18 Q. And (indiscernible) water in there?

19 A. No. Actually you know in the morning I went down  
20 there and I picked up some cleaning gear and I went back out on  
21 the deck and I started cleaning the deck, and when one of the  
22 hands showed up to work, he came in about 15 minutes early  
23 (indiscernible) mopping the deck because -- we'd always --

24 Q. Kids?

25 A. Yeah, hands, yeah, ordinary -- kids on training, you

1 know, basically you know they're always available. You just  
2 have to use them and call them. We get a big crew we just  
3 always take somebody with us.

4 Q. Your first crew was 9:30 to 10:30 on the Ethan Allen  
5 on Sunday?

6 A. Yeah, yeah.

7 Q. Did you see any other boats out there --

8 A. No, I really didn't notice any.

9 Q. Okay. All right. You were talking about the  
10 Mohican. I might have been misunderstanding you. On the de  
11 Champlain at one time with 11 people, I believe you  
12 testimony -- is that what you're --

13 A. Yeah, yeah. I was heading, I was heading west coming  
14 out of that bay I was showing you on here.

15 Q. Coming out of the five-mile-an-hour zone?

16 A. Huh? Yeah. No, he wasn't in the five-mile-an-hour  
17 zone. He was on the east side. And, you know, it takes him a  
18 little, little bit to get up to the (indiscernible). He got up  
19 to speed -- okay, and -- this mark over here, you know, that's  
20 Henry Wright's house, okay, and you're coming along here and  
21 that's where they got the big brown house and they got the  
22 Statue of Liberty over there and they've got -- coming along  
23 here and then you kind of pull out this way, and the Mohican  
24 just kind of just winding right up and going north. And this,  
25 this right here, I mean talking to Bob Mason is one of the

1 captains, right here where we, were close enough, you know, 15  
2 feet to (indiscernible) Saint Mary's -- over 110 feet of water  
3 (indiscernible) so these big boats going out there, and you  
4 know we talk about the days when he was running the Minne-Ha-Ha  
5 and the Mohican because he used to work over there. They'd run  
6 over there and get close enough to try and grab branches.  
7 Sounds a little crazy to me, but you know. Anyhow, I wouldn't  
8 do it. Anyway, I was coming out this way. He's heading north.  
9 I gave him right-of-way because he had full set of steam,  
10 you -- he had the right-of-way because he (indiscernible) this  
11 is the normal pattern if you're going this way east and west,  
12 either cutting across and supposed to give right-of-way. I  
13 went through again, I went right behind him, you know, and into  
14 the wave and -- first one -- the second one, everybody got wet,  
15 and just apologized to the people. I told them it was coming.  
16 I said just hang on. And normally you catch a nice wave, you  
17 know, I had slowed down.

18 Q. How fast were (indiscernible) going?

19 A. Oh, 5,000 rpms.

20 Q. You stayed heading west?

21 A. Stayed heading, yeah, west.

22 Q. To take those waves.

23 A. Oh, had -- tried to basically (indiscernible) point  
24 on the starboard.

25 Q. And your alternate route, you were heading back

1 home --

2 A. Yes.

3 Q. -- you're going south?

4 A. Yes, south --

5 (Simultaneous comments.)

6 A. No, not -- and the winds on the lake here, that's  
7 something else, you guys, there are some things, and really  
8 tour boat doesn't have too much trouble with, maybe some of the  
9 bigger boats have more issue with it. If you have wind, and  
10 it's coming out of this direction, which is approximately  
11 south, southeast, okay, and it goes up the lake, you can get  
12 (indiscernible) run here, and you know, I came down with a  
13 charter on a tour boat and, and it was a good, it was a good  
14 day. I mean there wasn't any -- any other boats out there.  
15 Maybe one cruiser. I didn't -- I can't remember even seeing  
16 that. Coming down from here. That slowed us right down. I  
17 had it up to full speed on the -- and that was the Algonquin.  
18 It was in the IIT. You ever hear of IIT? Best engineering  
19 school in the world according to the -- all the experts. IIT  
20 is the -- India Institute of Technology. Over in Bombay or  
21 somewhere, or Delhi. Anyway, these guys had their 50th  
22 reunion. There were 14 of them. They had come here. They're  
23 American citizens now, but they graduated 50 years ago, and  
24 they're on board. They're pretty nice guys. (indiscernible)  
25 talk with them because you know I had been to India a few

1 times. (indiscernible) would come back up here. This was  
2 (indiscernible) real hard, and most of them came back in the  
3 cabin and shut the cabin up on the Algonquin (indiscernible)  
4 and we probably had to -- knock down to five, five and a half  
5 knots coming down. You know, the wind was -- there was that  
6 much wind. And the waves were nice rollers, you know. They  
7 weren't, they weren't anywhere as big as the Mohican. Didn't  
8 have any trouble. Just kept going. Little bit of bob.

9 MR. TURRELL: Okay.

10 BY MR. TURRELL:

11 Q. Did you actually see the Ethan Allen leave the dock?

12 A. Did I see the Ethan Allen -- I saw her starting to  
13 back up, yes.

14 Q. And then you, you went back up from --

15 A. Went back to the office, yes.

16 Q. Went back to the office.

17 A. I went to the ticket booth.

18 Q. And were you around for the May inspection of the  
19 Ethan Allen? Do you recall the New York State inspection?

20 A. No. I don't recall that. If I was there, it would  
21 be like the first few days and it's like everything is  
22 confusion. It takes you awhile to get acclimated.

23 Q. Okay. And --

24 A. These guys do a really thorough job. I've seen them  
25 go --

1 Q. Okay.

2 A. I've seen them go in and take things like life  
3 jackets or, you know, stained or susceptible (indiscernible) so  
4 be it, you know, that's good. I like that, you know. It's --

5 Q. Sure.

6 A. -- you know, I've seen them take (indiscernible)  
7 replace them.

8 Q. Are you aware of any -- have your brothers written  
9 any written instructions for the crews or captains, written  
10 directives or procedures for them to follow?

11 A. Well, you've got the emergency station --

12 Q. Okay, and that's for the big boats?

13 A. Yeah.

14 Q. Okay. And for the small boats, do you know?

15 A. And the small boats, I don't know.

16 Q. Okay.

17 A. You know basically we just have the tours. I think  
18 they've been doing what they've always done, you know, and  
19 train the kids, we'll train the kids on how to dock and how to  
20 get ready and tying up, and I think every kid can tie up that  
21 boat and untie it.

22 Q. To your knowledge, this, this kind of came up --  
23 talking to Walter about, do you have any conditions on the  
24 lake, wind conditions or weather conditions or your -- you  
25 shutdown --

1 A. Yeah.

2 Q. Okay, what, what conditions might those be?

3 A. You just ask Matt. He's shut it down.

4 Q. Okay.

5 A. I think probably like (indiscernible).

6 (Simultaneous comments.)

7 Q. The tour boats.

8 A. The tour boats used to stop when it got too windy.

9 The day they shut down the parasail, 10, 15 minutes later shut  
10 down --

11 Q. Is there basically a general policy if like the winds  
12 are a certain amount or there's lightning or there's --

13 A. It's always -- it's an automatic lightning and  
14 thunder, you, you know, you're off the lake. And if you've got  
15 lightning and thunder and you don't happen to be at your dock,  
16 you can go somewhere else and you wait it out. You don't sit  
17 around, be a target.

18 Q. Okay. Since you operate the boats yourself, we  
19 generally ask a few questions about what we call human  
20 performance, just basically ask you do you -- how much sleep,  
21 how many hours sleep tonight -- per night do you get?

22 A. Me? I won't say --

23 (Laughter.)

24 Q. When you go to work the next day --

25 A. I generally sleep about 8 or 9 hours a night.

1 Q. So like from which time like from 9 o'clock to 6 or?

2 A. No, it's more like 10.

3 Q. 10 to 7?

4 A. 7, 7:30, 8.

5 Q. Okay. And are you, are you taking any prescription  
6 medication?

7 A. No, not -- nothing.

8 Q. And --

9 A. The only prescription medication I was taking in the  
10 last few years is Lipitor, and they took me off that for a  
11 while, then they're going to send me a prescription again from  
12 the last blood thing.

13 Q. Okay, and do you use caffeine? Do you --

14 A. Do I drink coffee? Yeah.

15 Q. Roughly how much per, per day?

16 A. I drink decaf and I drink a big cup in the morning,  
17 maybe two -- later on in the day.

18 Q. And would you describe yourself being in good  
19 physical condition?

20 A. No, fat and lazy.

21 Q. Okay.

22 (Simultaneous comments, laughter.)

23 Q. And how often do you get physical exams?

24 A. Twice a year. No, since I've been up here my brother  
25 seems to think I'm working, moving around doing all right, but

1 you know last winter I was in good shape and I was working out.

2 I used to work out every day, you know, play softball and go  
3 to the gym twice a day, you know (indiscernible) work me like  
4 a -- mule there, I'll tell you. I don't know if you're  
5 familiar with the (indiscernible) putting the engine room  
6 together.

7 Q. I think we missed it. What was your professional  
8 background, your -- most of your career?

9 A. Most of my career is -- well, after I went to sea, I  
10 went to sea, I graduated Mass. Maritime in 1964, engineer, had  
11 a degree in marine electrical engineering.

12 Q. Okay.

13 A. Sailed until about 1970. I started teaching  
14 (indiscernible) school system. Taught secondary school  
15 science, mostly physics.

16 Q. Runs in the family.

17 A. Yeah.

18 Q. And --

19 A. Three of us --

20 Q. -- until, until when?

21 A. 2001 -- 2001.

22 Q. Is there anything else you'd like to share about --

23 A. About the same time I did that, of course I started  
24 up here, I -- my brothers and I started when I was about 14 I  
25 think my brother was 18. Maybe I was about 13, maybe he was

1 17, I guess. We started renting boats teaching water skiing,  
2 and leasing boats to camps. We did that, and when I started  
3 sailing, I used to come back for my four months of vacation, I  
4 came up here, and I started a business here about '67. I was  
5 here '67, '68, '69, '70 and '71. And that time we rented small  
6 boats, 14, 18-foot, and 40-foot houseboats, and you know the  
7 business -- '72 my brothers and I kind of split up and my  
8 mother passed away. I took over the operations in  
9 (indiscernible) and I sold that in 2003, and we leased  
10 Pittsfield all the way up until then, in fact I came back for  
11 one more year after I sold. I had a boat rental operation. We  
12 had a boat leasing operation and boat sales operation, and we  
13 had the largest maintenance department in the area. It may  
14 have been the largest marina. It was about 80,000 square foot  
15 building.

16 Q. It was in Pittsfield?

17 A. Pittsfield, Mass.

18 Q. Mass.

19 A. Yes, a big old mill building.

20 Q. Okay.

21 A. Had a lot of storage --

22 Q. Now with the exception, you know you talk about the  
23 wake situation on the lake, are there any other considerations  
24 either with you employer or with the safety inspections  
25 conducted by the State? Are there any improvements you would

1 like to see or have any other comments or suggestions about  
2 boating safety on the lake, Lake George?

3 A. Yeah, there has to be a little more courtesy amongst  
4 people with big boats. I think that they ought to have a, a  
5 300-foot zone where you can't get in within 300 feet of shore,  
6 produce over so many rpms. And even at that, there's some  
7 boats out there that shouldn't be going at full speed even,  
8 even 600 feet off shore.

9 Q. What about the small watercraft, pleasure craft?

10 A. I'm talking 30-foot cabin cruisers should be in that  
11 group. I'm talking maybe even 27-foot, some of them, direct  
12 drives that pit the nose real high and they run them at 12  
13 knots, 14 knots and pull a good wake. I think, you know, wake  
14 is an important issue at this point, this juncture.

15 Q. Uh-huh.

16 MR. TURRELL: Okay. Any other questions?

17 Walt?

18 SGT. SCHEDEL: No.

19 MR. TURRELL: Sean?

20 MR. S. QUIRK: No.

21 MR. H. QUIRK: -- didn't ask questions.

22 MR. TURRELL: Well, we're going to go off the record  
23 and he can ask questions or -- just go ahead and acknowledge it  
24 being recorded, and we'll --

25 MR. H. QUIRK: Okay, it's been recorded --

1 MR. TURRELL: Thanks.

2 (Whereupon, the interview in the above-entitled  
3 matter was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            Investigation of MV Ethan Allen  
                                 Lake George, New York  
                                 October 2, 2005  
                                 Interview of Hugh Quirk

DOCKET NUMBER:            DCA 06 MM 001

PLACE:                        Lake George, New York

DATE:                         October 6, 2005

was held according to the record, and that this is the original, complete, true and accurate transcript which has been compared to the recording accomplished at the hearing.

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Katherine Motley  
Transcriber